

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ADEN RUSFELDT,	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 5:23-cv-01523-JMG
	:	
CITY OF READING, <i>et al.</i> ,	:	
Defendants.	:	

ORDER

AND NOW, this 25th day of October 2023, upon consideration of Defendant Reading School District's ("the District") Motion to Dismiss (ECF No. 9), Plaintiff Mr. Rusfeldt's Response in Opposition (ECF No. 10), the District's Reply Brief in Support (ECF No. 13), Plaintiff's Sur-Reply in Opposition (ECF No. 19), Defendant The City of Reading and Officer Morar's Motion to Dismiss (ECF No. 15), and Plaintiff's Response in Opposition (ECF No. 16), **IT IS HEREBY ORDERED** as follows:

1. Claims in Count I of Plaintiff's Complaint that reference the Reading School District and the City of Reading are **DISMISSED WITHOUT PREJUDICE**.
2. Count II of Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.
3. Count III of Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge